

SUPPORTING STATEMENT

Application to Replace Permanent Resident Card

Form I-90

(OMB No. 1615-0082)

A. JUSTIFICATION.

1. This form is necessary and in compliance with Title 8 U.S.C. 1302 and 1304 which specifies the requirements for alien registration. Section 264(a) of the Immigration and Nationality Act states: “The Attorney General and the Secretary of State jointly are authorized and directed to prepare forms for the registration of aliens under section 261 of this title, and the Attorney General is authorized and directed to prepare forms for the registration and fingerprinting of aliens under section 262 of this title. Such forms shall contain inquiries with respect to (1) the date and place of entry of the alien into the United States; (2) activities in which he has been and intends to be engaged; (3) the length of time he expects to remain in the United States; (4) the police and criminal record, if any, of such alien; and (5) such additional matters as may be prescribed”.

The Form I-90 serves as the collection method for use by any lawful permanent resident wishing to renew or replace a Permanent Resident Card because their authorized card was never received, or the original has been lost, stolen, or mutilated, or the information on the original must be updated or corrected, or there is a requirement by law to replace the Permanent Resident Card.

Permanent residents must file Form I-90, Application to Replace Permanent Resident Card to renew or replace their Form I-551, Permanent Resident Card. The Form I-551 has many uses, one of which is as an entry document for permanent residents returning to the United States after a trip abroad. Effective October 26, 2004, section 303 of the BSA requires that travel and entry documents be machine readable, tamper resistant, and use biometric identifiers. To comply with the BSA, USCIS is amending the instructions to the Form I-90 to request applicants to appear at a USCIS Application Support Centers (ASCs) and provide USCIS with the necessary biometric information. Such information includes a photograph, signature and fingerprints. USCIS will collect and store this biometric information electronically for production of a tamper-resistant Form I-551 in compliance with the BSA. Moreover, USCIS plans to maintain the information in a national database, enhancing national security and public safety. As a result, DHS anticipates that this will reduce the number of future visits applicants will be required to make to an ASC throughout the entire immigration process. In order to provide this service, USCIS will charge applicants a \$70 biometrics fee.

2. The information will be used by the USCIS to determine eligibility for a Permanent Resident Card. The form serves the purpose of standardizing requests for the benefit, and ensuring that basic information required to assess eligibility is provided by the applicants.

3. The use of this form provides the most efficient means for collecting and processing the required data. In this case the USCIS does not employ the use of information technology in collecting and processing information.

USCIS provides this application to the public via the USCIS Internet Web Site, the USCIS Forms Center and the USCIS local offices. This form may be either paper filed or electronically filed.

4. A review of the USCIS forms inventory report revealed no duplication of effort, and there is no other similar information currently available that can be used for this purpose.

5. This collection of information does not have an impact on small businesses or other small entities.

6. The collection of this information is mandated by Section 264(a) of the INA. Additionally, 264(e) states that every alien, eighteen years of age and over, shall at all times carry with him and have in his personal possession any certificate of alien registration or alien registration receipt card issued to him pursuant to subsection (d). Any alien who fails to comply with the provisions of this subsection shall be guilty of a misdemeanor and shall upon conviction for each offense be fined not to exceed \$100 or be imprisoned not more than thirty days, or both. This form standardizes requests for this benefit and ensures that an alien is in compliance with statute.

7. There are no special circumstances applicable to this information collection.

8. The USCIS published 60-Day Notice of Information Collection Under Review: Application to Replace Alien Registration Card, Form I-90 on December 14, 2005 at 70 FR 74028.
9. The USCIS does not provide payment or gifts to respondents in exchange for a benefit sought.
10. There is no assurance of confidentiality.
11. There are no questions of a sensitive nature.
12. Annual Reporting Burden:
 - a. Number of Respondents 410,799
 - b. Number of Responses per each Respondent 1
 - c. Total Annual Responses 410,799
 - d. Hours per Response .916
 - e. Total Annual Reporting Burden 376,292
 - f. Total Public Cost \$ 110,570,658

Annual Burden Hours

Total annual reporting burden hours is 376,292. This figure was derived by multiplying the number of respondents (410,799) x frequency of response (1) x hours per response (55) minutes (.916).

Public Cost

The estimated annual public cost is \$ 110,570,659. This is based on the number of respondents 410,799 x 55 minutes (.916) per response x \$10 (average hourly

rate) plus the number of respondents (410,799 x fee charge of \$190). In addition, this cost includes the number of respondents (410,799) x biometrics cost of \$70.

13. There are no capital or start-up costs associated with this information collection. Any cost burdens to respondents as a result of this collection are identified in Item

14. Annualized Cost Analysis:

a.	Printing Cost	\$	184,859
b.	Collection and Processing Cost	\$	106,622,880
c.	Total Cost to Program	\$	106,807,740
d.	Fee Charge	\$	106,807,740
e.	Total Cost to Government	\$	0

Government Cost

The estimated cost of the program to the Government is calculated by using the estimated number of respondents (410,799) multiplied (x) by the suggested \$260 fee charge, (which includes the suggested average hourly rate for clerical, officer, and managerial time with benefits, plus a percent for the estimated overhead cost for printing, stocking, distributing and processing of this form).

15. There has been no increase or decrease in the estimated number of burden hours previously reported for this collection.
16. USCIS does not intend to employ the use of statistic or the publication thereof for this collection of information.

17. The USCIS will display the expiration date for OMB approval of this information collection.
18. The USCIS does not request an exception to the certification of this information collection.

B. Collection of Information Employing Statistical Methods.

Not applicable.

C. Certification and Signature.

PAPERWORK CERTIFICATION

In submitting this request for OMB approval, I certify that the requirements of the Privacy Act and OMB directives have been complied with including paperwork regulations, statistical standards or directives, and any other information policy directives promulgated under 5 CFR 1320.

Richard A. Sloan
Director
Regulatory Management Division

Date